

7-26-04

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2127



Express Mail Label No.: EV292566072US

Date of Deposit: July 23, 2004

DOCKET NO: M1015.70066US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cynthia C. Bamdad
Serial No: 09/971,099
Confirmation No: 2127
Filed: October 3, 2001
For: MAGNETIC IN SITU DILUTION

Examiner: Do, Pensee T.
Art Unit: 1641

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

07/27/2004 SFELEKE1 00000022 09971099

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180.00 OF

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

B. The Applicant hereby makes the following additional information of record in the above-identified application.

The applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

<u>Atty. Docket No.</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>	<u>Title</u>
M1015.70002US01	Not yet assigned	25 March 2004	Cynthia Bamdad, Shoshana Bamdad	INTERACTION OF COLLOID-IMMOBILIZED SPECIES WITH SPECIES ON NON-COLLOIDAL STRUCTURES
M1015.70013US01	10/823,097	13 April 2004	Cynthia Bamdad, Shoshana Bamdad	RAPID AND SENSITIVE DETECTION OF PROTEIN AGGREGATION
M1015.70080US00	10/233,334	30-Aug-2002	Cynthia Bamdad	AFFINITY TAG-MODIFIED PARTICLES
M1015.70070US00	10/004,275	15-Nov-2001	R. Shoshana Bamdad, Cynthia Bamdad	OLIGONUCLEOTIDE IDENTIFIER
M1015.70070US01	10/756,802	13-Jan-2004	Cynthia Bamdad, R. Shoshana Bamdad	OLIGONUCLEOTIDE IDENTIFIER
M1015.70055US01	10/694,525	27-Oct-2003	Cynthia Bamdad, R. Shoshana Bamdad	TANDEM SIGNALING ASSAY

3. The Applicant would like to bring to the Examiner's attention the enclosed Search Report and Written Opinion from a corresponding International Application No. PCT/US01/31061.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).


By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Cynthia C. Bamdad, *Applicant*

By: _____


Stephen R. Finch, Reg. No. 42,534
Timothy J. Oyer, Ph.D., Reg. No. 36,628
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Docket No. M1015.70066US00

Date: 07/23/04

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Mail Stop AMENDMENT

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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

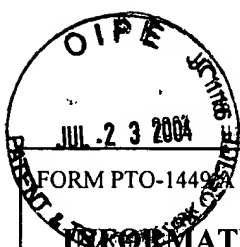
A check in the amount of \$180.00 is enclosed to cover the fee for the Information Disclosure Statement. If any additional fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Cynthia C. Bamdad, Applicant

By: 

Stephen R. Finch, Reg. No.: 42,534
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Docket No. M1015.70066US00
Date: 07/23/04
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FORM PTO-1449a and B (Modified)				APPLICATION NO.: 09/971,099		ATTY. DOCKET NO.: M1015.70066US00			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: October 3, 2001		CONFIRMATION NO.: 2127			
				APPLICANT: Cynthia C. Bamdad					
				GROUP ART UNIT: 1641		EXAMINER: Pensee T. Do			
Sheet	1	of	2						

U.S. PATENT DOCUMENTS

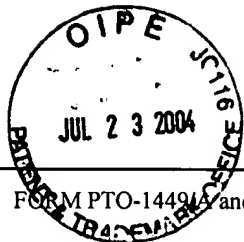
Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A1	4,791,069		Hovorka et al.	12-13-1988
	A2	5,512,131		Kumar et al.	04-30-1996
	A3	5,620,820		Bertrand et al.	05-15-1997
	A4	5,620,850		Bamdad et al.	04-15-1997
	A5	6,319,670	B1	Sigal et al.	11-20-2001

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	EP	0 142 301	A2	Serono Diagnostics Limited	05-22-1985	
	B2	WO	96/29629	A2	President and Fellows of Harvard College	09-26-1996	
	B3	WO	98/04740	A1	Northwestern University	02-05-1998	
	B4	WO	99/38013	A2	Xerion Pharmaceuticals GmbH	07-29-1999	N
	B5	WO	00/43783	A2	Minerva Biotechnologies Corporation	07-27-2000	
	B6	WO	00/43791	A2	Minerva Biotechnologies Corporation	07-27-2000	
	B7	WO	00/54882	A1	Artloon Corporation	09-21-2000	
	B8	WO	00/63694	A1	University of Virginia Patent Foundation	10-26-2000	
	B9	WO	00/63701	A2	The Board of Trustees of the Leland Stanford Junior University	10-26-2000	
	B10	WO	01/51668	A1	Immunivest Corporation	07-19-2001	
	B11	WO	02/01225	A2	Minerva Biotechnologies Corporation	01-03-2002	
	B12	WO	02/01230	A2	Minerva Biotechnologies Corporation	01-03-2002	
	B13	WO	02/061129	A2	Minerva Biotechnologies Corporation	08-08-2002	
	B14	WO	02/29411	A2	Minerva Biotechnologies Corporation	04-11-2002	
	B15	WO	02/37109	A2	Minerva Biotechnologies Corporation	05-10-2002	
	B16	WO	03/018846	A1	Minerva Biotechnologies Corporation	03-06-2003	

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C1	BAIN et al., "Formation of Monolayers by the Coadsorption of Thiols on Gold: Variation in the Head Group, Tail Group, and Solvent," <i>J. Am Chem. Soc.</i> 111, 7155-7164 (1989)		
	C2	BAIN et al., "Formation of Monolayers by the Coadsorption of Thiols on Gold: Variation in the Length of the Alkyl Chain," <i>J. Am Chem. Soc.</i> 111, 7164-7175 (1989)		
	C3	BAMDAD, Cynthia, "The Use of Variable Density Self-Assembled Monolayers to Probe the Structure of a Target Molecule," <i>Biophysical Journal</i> , Vol. 75, October 1998, pp. 1989-1996.		



FORM PTO-1449A and B (Modified)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

APPLICATION NO.: 09/971,099

ATTY. DOCKET NO.: M1015.70066US00

FILING DATE: October 3, 2001

CONFIRMATION NO.: 2127

APPLICANT: Cynthia C. Bamdad

GROUP ART UNIT: 1641

EXAMINER: Pensee T. Do

Sheet 2 of 2

OTHER ART — NON PATENT LITERATURE DOCUMENTS

C4	LAIBINIS, P.E. et al., "Orthogonal Self-Assembled Monolayers: Alkanethiols on Gold and Alkane Carboxylic Acids on Alumina," <i>Science</i> , 245, 845-847 (1989)		
C5	ROBINSON, G.A., et al., "Bioelectrochemical Enzyme Immunoassay of Human Choriogonadotropin with Magnetic Electrodes," <i>Clin. Chem.</i> 31/9, (1985), pp. 1449-1452.		
C6	Search Report mailed June 21, 2002 from International Patent Application No. PCT/US01/31061		
C7	Written Opinion mailed October 14, 2002 from International Patent Application No. PCT/US01/31061		

EXAMINER

DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).